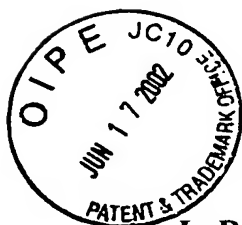


DOCKET NO.: IBIS-0403

COPY OF PAPERS
ORIGINALLY FILED

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Swayze, et al.

Confirmation No.: 1815

Serial No.: 10/071,978

Group Art Unit: 1646

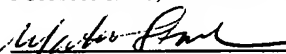
Filing Date: February 6, 2002

Customer No.: 18

For: Novel Benzimidazole Compounds

DATE OF DEPOSIT: June 7, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.


MICHAEL P. STRAHER
REGISTRATION NO.: 38,325

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated March 8, 2002, enclosed herewith for filing is:

Declarations and Powers of Attorney

- ☐ A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. @@ on @@.
- ☒ A Combined Declaration and Power of Attorney, executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with to the above-identified application specification on February 6, 2002, via by Express Mail No. EL884784032US. Such deletion/addition of inventors is specifically provided for in 37 CFR Sec. 1.48.
- ☐ A copy of the original Declaration and Power of Attorney, executed by the

inventor(s) as filed in parent application serial no. _____.

- ☐ A copy of the Power of Attorney with revocation filed on _____
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b)
- ☐ An associate power of attorney executed by _____ who is/was listed on the original declaration/power of attorney.

Drawings

- ☐ _____ Sheets of Substitute drawings comprising Figures _____ in compliance with 37 C.F.R. 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of sequence listing in specification
- ☐ Statement to Support Filing of Sequence listing

Claim for Small Entity Status

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization

Miscellaneous Items

- ☒ A copy of the Notice to File Missing Parts.

- ☐ Request for Corrected Filing Receipt.
- ☐ Request for Refund Due to Small Entity Status
- ☐ Request for Refund Due to Fee Calculation Error
- ☐ A substitute specification in compliance with 37 C.F.R. 1.52.
- ☐ Other: _____

Fee Calculation and Extension of Time

- ☒ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due May 8, 2002 to and through June 8, 2002, comprising an extension of the shortened period of one month:

| | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|--------------|----------|------------------|-----|
| | RATE | FEE | RATE | FEE |
| MISSING PARTS SURCHARGE | \$65 | \$ 65.00 | \$130 | \$ |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | \$55 | \$ 55.00 | \$110 | \$ |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | \$200 | \$ | \$400 | \$ |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME | \$460 | \$ | \$920 | \$ |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME | \$720 | \$ | \$1440 | \$ |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME | \$980 | \$ | \$1960 | \$ |
| TOTAL FEE DUE | | \$120.00 | | |


Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

- ☒ A check in the total amount due of \$120.00 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$@@@.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

- ☒ Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.
- ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: *June 7, 2002*


Michael P. Straher
Registration No. 38,325

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

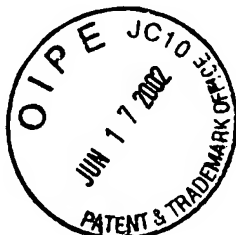


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/071,978 | 02/06/2002 | Eric E. Swayze | IBIS-0403 |

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103



CONFIRMATION NO. 1815

FORMALITIES LETTER



OC00000007609688

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 03/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/20/2002 00:00:00 10/17/02
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